

# **EXHIBIT 7**

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
Case No. 1:19-cv-00477-CCE-LPA

THE ESTATE OF NAJEE ALI                     )  
BAKER, by and through his                 )  
Ancillary Administrator,                 )  
Jemel Ali Dixon,                             )  
   )  
   Plaintiff,                 )  
   )  
   V.                             )  
   )  
WAKE FOREST UNIVERSITY, et                 )  
al.,   )  
   )  
   Defendants.                 )  
-----                                     )

VIDEOCONFERENCE DEPOSITION  
OF  
CHIEF SUE RISELING (Retired)

APRIL 22, 2021  
10:53 A.M. - 6:30 P.M.

Reported by: Michelle Maar, RDR, RMR, FCRR

1 after you completed your report?

2 A. That's correct, sir.

3 Q. Just to confirm -- you had the opportunity to  
4 review the deposition transcript of Jasmine Brown?

5 A. Yes. I received it yesterday.

6 Q. Were there any other documents you received --  
7 other than the transcripts you've talked about -- let me  
8 ask that question, a better question.

9 Did you receive any other documents after you had  
10 finalized your report that you've reviewed in preparation  
11 for today's deposition other than the transcripts you've  
12 discussed?

13 A. Yes. I received The Barn Summary Memo of 3-12.  
14 I had received The Barn Summary Memo of 3-8, but I did not  
15 receive The Barn Memo of 3-12 until I believe it was the  
16 day before yesterday.

17 And the difference is that in the 3-8, all the  
18 entries were the same, but in the 3-12, they had the  
19 Reference Documents column added.

20 So that it made it easier for me, thankfully, to  
21 be able to go back to the source documents and look at the  
22 source documents that make up the Summary Memo.

23 Q. So the source, the list of source documents in  
24 the Summary Memo were not added until the March 12, 2021  
25 edition?

1 MS. PALVIA: Objection.

2 THE WITNESS: What I remember is that the  
3 document that I had from 3-8 had all the information except  
4 the final right-hand column that says Document References.  
5 And that's what I recall of the 3-8 document. So the 3-12  
6 document had that extra column.

7 That's, that's from my memory.

8 BY MR. FAZZOLA:

9 Q. From your memory, when you were looking to and  
10 referring to the version of The Barn Memorandum you had  
11 when you were preparing your report, that version didn't  
12 provide a column with Document References?

13 A. Correct. So I was searching on my own to verify  
14 the source documents when I was writing my report.

15 Q. So you didn't have the benefit of being pointed  
16 to the source documents for each entry?

17 MS. PALVIA: Objection.

18 THE WITNESS: No -- I'm sorry, I heard somebody  
19 else say something.

20 MS. PALVIA: I said objection.

21 BY MR. FAZZOLA:

22 Q. Is your answer no, Chief?

23 A. I had the 3-8 -- to my recollection, I had the  
24 3-8. And I looked at the source documents, I had to find  
25 the source documents on my own.

1 it off.

2 So there were many different factors of the hybrid  
3 approach that, there's lots of video evidence that it did  
4 work, that people got separated, that the people who were  
5 indicated needed to leave were escorted out either by Rhino  
6 or the police or both.

7 So those are examples that I've seen that the  
8 hybrid approach did work.

9 Q. And I'm asking a broader question too because I  
10 believe your opinion is broader.

11 Does anything about Ms. Brown's deposition  
12 testimony lead you to change or amend your opinion regarding  
13 whether the hybrid approach implemented by Wake Forest for  
14 The Barn was effective from the time it was implemented up  
15 through to the shooting of Najee on January 20, 2018?

16 A. I believe it was effective. I believe it  
17 addressed a lot of the root causes that had led to the  
18 problems in the first place. I think it was very  
19 reasonable.

20 I think it's, it was a good approach to bring  
21 everyone together and to have them work very  
22 collaboratively on resolving kind of the problems and not  
23 just leaving the police and the event hosts to deal with  
24 everything.

25 Q. And prior to reviewing Ms. Brown's deposition

1 BY MR. FAZZOLA:

2 Q. And what are your benchmarks for determining that  
3 the hybrid model Wake Forest used at The Barn was  
4 effective?

5 A. Well, there's a lot -- because there's a lot of  
6 different factors to the hybrid model.

7 One of the criteria, you know, clearly is whether  
8 or not things got out of control to the point of where they  
9 had been before.

10 So I think that there's a real difference to the  
11 crowd response, the police response, the number of law  
12 enforcement that had to be called in on an emergency basis  
13 before the hybrid model went into place.

14 Clearly, that is very different.

15 The experience of the students, the Eventbrite,  
16 the fact that they knew when they purchased a ticket, they  
17 would actually gain entry, that they weren't being turned  
18 away as often as they had been before the hybrid began, that  
19 they would be able to get in, so they wouldn't have these  
20 frustrations, you know, at the get-go of showing up and  
21 having spent their money and not getting in.

22 I think it's quite effective that the ERMs are  
23 dressed in non-uniforms, but yet they were dressed in a  
24 shirt that was identifiable, that those are the people that  
25 are going in and out of bathrooms.

1 I think to have uniformed police officers going in  
2 and out of bathrooms is just not a good, not a good  
3 practice.

4 Again, they monitored the lights. They turned the  
5 lights on near the bathrooms and bar area, those type of  
6 things. They interacted and had much more interaction, on a  
7 less intimidating basis, between the ERMs and the host  
8 organization than the police would have ever had between  
9 themselves and the host.

10 Students are much more likely to tell another  
11 student or another person about their age something that's  
12 bothering them than to go to a uniformed police officer.

13 And that's particularly true for African-Americans  
14 in this time period, between 2013, 2014, 2015, and still to  
15 today in our society.

16 So there's lots of things about this hybrid model  
17 that I think work.

18 I also think as part of this hybrid model the  
19 stakeholders were better heard than they were when it was  
20 just the police.

21 And back in 2013, when they were doing the large  
22 event documents and the large event protocols, they didn't  
23 consider the students' opinions at all during that time.

24 I think that the hybrid approach, introducing  
25 professional staff, especially because they're from the

1 Division of Student Affairs, into the mix is a critical  
2 piece of the hybrid.

3 Because oftentimes, not always, but oftentimes, it  
4 is the weight of student conduct and their academic standing  
5 that the students care a lot about beyond what the criminal  
6 justice system is going to do on any given day or night.

7 They have a lot more in their academics at risk  
8 when the Student Conduct Office gets involved than when just  
9 law enforcement gets involved.

10 So having the professional staff there, bringing  
11 in adults that are what I would call wise witnesses or  
12 strong members of the community leadership, having them come  
13 in to the situation in the hybrid model is critical.

14 Because the students know those particular wise  
15 witnesses. Those are usually sorority advisors, maybe  
16 sometimes faculty advisors.

17 On the night in question, it was more sorority  
18 advisors.

19 And they were there, and the students trust those  
20 adults. And they're going to listen to those adults and  
21 probably not argue with those adults as quickly as the  
22 natural knee-jerk reaction to being told to do something by  
23 a police officer, especially if that police officer is  
24 white. So that's a plus.

25 Having Rhino there , again, in an identified way,



1 but they don't have any law enforcement authority.

2 So they too, I believe, give the stage, set the  
3 stage for a better interaction, where the reaction isn't  
4 going to be an instant enforcement of law -- which is what  
5 happens when you react or interact with police.

6 So in those ways, the hybrid model I think works.

7 Then there's the EMTs, the student EMTs. We  
8 haven't talked about them very much.

9 But, again, getting your medical assistance from  
10 another student, they're more likely to I think reach out to  
11 them, students trusting that students will help another  
12 student. The EMTs obviously are trained for that.

13 Part of the hybrid model was the video  
14 surveillance.

15 Part of the hybrid model is the fact there are  
16 patrol officers on campus who would come when needed.

17 We saw that with Officer Paquette, with the  
18 intoxicated female. We saw that with Officer Felts being  
19 there and was the first to reach Mr. Baker after he was,  
20 after he was shot.

21 So there's, there's a lot of depth to the hybrid  
22 approach.

23 And I think somewhere along the line I've  
24 mentioned Eventbrite, which gets to the source of one of the  
25 root causes of all the squabbles early on in the process of

1 The Barn and bringing that into fruition -- which I believe  
2 Dr. Goldstein was directly involved in the Eventbrite.

3 That having them there, you know, having  
4 Eventbrite there cut down on a lot of the issues and  
5 problems.

6 I also think that the role of the student hosts,  
7 again, hybrid -- Ms. Brown talks about, you know, going and  
8 confronting people, you know, where she was, unfortunately,  
9 in her words, you know, thrown by one of the men, you know,  
10 instead of engaging Rhino at that point.

11 Now, I understand she didn't think they were going  
12 to do anything, but she didn't really give them the  
13 opportunity to do anything.

14 I believe her testimony, you know, is that the  
15 ERMs were there. And she didn't, you know, call out to have  
16 them -- so it was more than just she and Ms. Courtney who  
17 confronted those people at that time.

18 So I think the model is there. And I think the  
19 model when used and when called upon remains effective.

20 I understand and I hear the frustration of those  
21 two students with the responses of Rhino not being hands-on.  
22 And I understand their frustration.

23 But I also understand from Rhino's perspective how  
24 they operate and from the university's perspective how they  
25 wanted Rhino to operate in that hands-off approach.

1           That's a very long answer to your question. I may  
2     have left something out, but I tried to be as inclusive as  
3     possible.

4           Q.     Well, let's unpack some of it.

5           It's your opinion and your testimony that, in  
6     your view, the hybrid approach that Wake Forest implemented  
7     for The Barn allowed students' views to be better heard.

8           Is that right?

9           A.     Yes. I do.

10          Q.     And Ms. Courtney made clear, in her declaration,  
11     the sorority's view was that they wanted someone to provide  
12     a bouncer's function in The Barn, right?

13          A.     That's what the affidavit says, yes, that we just  
14     read.

15          Q.     Do you have any evidence that Wake Forest  
16     listened to those views and provided any security that  
17     would provide a bouncer function to prevents situations  
18     where people like Ms. Brown would intervene in fights and  
19     get thrown across the room?

20          MS. PALVIA: Objection.

21          THE WITNESS: I don't have anything in 2017. But  
22     the issue was raised in 2016.

23          And Mr., I'm sorry, Sergeant Gravely's deposition  
24     talked about the discussions that the institution had had  
25     at different points about a bouncer function.

1 on Page 16.

2 A. Yes.

3 Q. In that paragraph, towards the end, not all the  
4 way to the end, you write in regard to the hybrid approach,  
5 "fights have been reduced to minimum."

6 Do you see that?

7 A. Yes.

8 Q. And is that your opinion, that, after the  
9 introduction of the hybrid approach, fights at The Barn had  
10 been reduced to a minimum?

11 A. Yes.

12 Q. And, again, neither Ms. Brown's deposition  
13 testimony, the e-mail from Ms. Brown to Ms. Adams that we  
14 reviewed, or Ms. Courtney's declarations give you reason in  
15 your professional opinion to revisit that opinion?

16 A. Well, you know, I, I take them at their sworn  
17 testimony, their word.

18 So I would say that fights have been reduced  
19 significantly. I might not use the word minimum any longer  
20 after hearing their view.

21 Q. I want to look at some of the fights that  
22 happened after the hybrid approach was introduced for The  
23 Barn.

24 Turn, if you would, to The Barn Staffing  
25 Memorandum. I will give you a page -- Page 26.

CERTIFICATE OF REPORTER

STATE OF NORTH CAROLINA AT LARGE, to wit:

I, Michelle Maar, RDR, RMR, FCRR, the officer before whom the foregoing videoconference deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition declared her testimony would be given under penalty of perjury, that the testimony of said witness was reported by me through videoconference technology to the best of my ability, and thereafter reduced to writing;

That I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

That I am located in Wake County, North Carolina.

That the deponent stated she was located in Madison, Wisconsin.

Michelle Maar

Michelle Maar, Court Reporter

Notary Public #201628400102

My Commission expires October 4, 2021